

CLASSIFICATION OFFICE DECISION

Title of publication: IMG_6235.JPG

Other known title(s): Not stated

OFLC ref: 1900203.016

Medium: Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification:	Objectionable.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 30 July 2019

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 30 July 2019

Summary of reasons for decision:

The publication is a digital image file of a photograph that has been taken of an image on a device, likely a laptop. The image is a highly constructed and posed image in which a male child is partially nude. The way the image has been constructed exploits his nudity to a degree that renders its availability likely to be injurious to the public good. As a digital file the image can be exchanged and widely distributed through the internet for the titillation of those who have a sexual interest in young people. The publication is classified objectionable under s 3(3)(b) of the FVPC Act. The Classification Office has considered the New Zealand Bill of Rights Act 1990 on the application of all the classification criteria. The classification interferes with the right to freedom of expression but is reasonable and justified in order to prevent injury to the public good. It reflects the concern of a free and democratic society to protect its vulnerable members from exploitation.